

# EXHIBIT 68

CONFIDENTIAL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BRAYDEN STARK AND JUDD OOSTYEN, ) CASE NO.  
ON BEHALF OF THEMSELVES AND ALL ) 3:22-cv-03131-JCS  
OTHERS SIMILARLY SITUATED, )  
)  
PLAINTIFFS, )  
)  
v. )  
)  
PATREON, INC., )  
)  
DEFENDANT. )  
\_\_\_\_\_ )

CONFIDENTIAL TRANSCRIPT  
VIDEO-RECORDED DEPOSITION OF BRAYDEN STARK  
OCTOBER 4, 2023

JOB NO. 6108020  
REPORTED STENOGRAPHICALLY BY:  
MARY K. MEDLEY, CSR NO. 9557

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CONFIDENTIAL VIDEO-RECORDED DEPOSITION OF BRAYDEN STARK, TAKEN ON BEHALF OF THE DEFENDANT, AT 9:35 A.M., WEDNESDAY, OCTOBER 4, 2023, AT 350 SOUTH GRAND AVENUE, LOS ANGELES, CALIFORNIA, BEFORE MARY K. MEDLEY, CSR NO. 9557.

APPEARANCES OF COUNSEL:

FOR THE PLAINTIFF:

GIRARD SHARP LLP

BY: SIMON GRILLE, ESQ.

BY: REID GAA, ESQ.

601 CALIFORNIA STREET, SUITE 1400

SAN FRANCISCO, CALIFORNIA 94108

(415) 981-4800

SGRILLE@GIRARDSHARP.COM

RGAA@GIRARDSHARP.COM

FOR DEFENDANT PATREON, INC.:

THE NORTON LAW FIRM PC

BY: FRED NORTON, ESQ.

BY: NATHAN WALKER, ESQ.

299 THIRD STREET, SUITE 200

OAKLAND, CALIFORNIA 94607

(510) 906-4900

FNORTON@NORTONLAW.COM

NWALKER@NORTONLAW.COM

ALSO PRESENT: LUIS VASQUEZ, VIDEOGRAPHER

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## CONFIDENTIAL

1 WEDNESDAY, OCTOBER 4, 2023; 9:35 A.M.

2 \*\*\*\*\*

3 THE VIDEOGRAPHER: Good morning. We are on the 09:35:35  
4 record at 9:35 a.m. on October 4th, 2023. Please 09:35:36  
5 note the microphones are sensitive and may pick up 09:35:42  
6 whispering and private conversations. Please mute 09:35:44  
7 your phones at this time. Audio and video recording 09:35:48  
8 will continue to take place unless all parties agree 09:35:50  
9 to go off the record. 09:35:53

10 This is the video-recorded deposition of 09:35:54  
11 Brayden Stark, taken in the matter of Stark, Brayden 09:35:56  
12 versus Patreon, Inc., filed in the United States 09:36:01  
13 District Court of Northern District of California. 09:36:03  
14 The case number is 3:22-cv-03131-JCS. 09:36:06

15 My name is Luis Vasquez representing 09:36:19  
16 Veritext and I am the videographer. The court 09:36:22  
17 reporter is Mary Medley from the firm Veritext. 09:36:25

18 At this time, will everyone attending 09:36:27  
19 please identify yourself for the record. 09:36:29

20 MR. GRILLE: Good morning. This is Simon 09:36:31  
21 Grille on behalf of the plaintiffs. 09:36:33

22 MR. GAA: Reid Gaa on behalf of the plaintiffs. 09:36:36

23 MR. NORTON: Fred Norton on behalf of Defendant 09:36:39  
24 Patreon. 09:36:42

25 MR. WALKER: Nate Walker on behalf of Patreon. 09:36:43

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1 THE VIDEOGRAPHER: Will the court reporter 09:36:46  
2 please swear in the witness. 09:36:47  
3  
4 BRAYDEN STARK,  
5 having been first duly sworn by the reporter,  
6 was examined and testified as follows:  
7  
8 EXAMINATION  
9 BY MR. NORTON:  
10 Q. Good morning. As you heard, my name's Fred 09:36:57  
11 Norton, I'm the attorney representing Patreon in 09:37:00  
12 this case and I'll be asking you questions here this 09:37:03  
13 morning. 09:37:06  
14 A. Sounds good. 09:37:06  
15 Q. Have you ever had your deposition taken 09:37:07  
16 before? 09:37:08  
17 A. No. 09:37:08  
18 Q. Have you had a chance to talk to your 09:37:09  
19 counsel -- Let me back up a second. 09:37:10  
20 Is your counsel present here this morning? 09:37:12  
21 A. Yes. 09:37:14  
22 Q. And who is your counsel? 09:37:14  
23 A. Simon Grille and Reid Gaa. 09:37:15  
24 Q. Have you had a chance to talk to your 09:37:18  
25 counsel about what the deposition entails? 09:37:19

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1 address, name, address, date of birth, and other 09:51:58  
2 personal info. 09:52:06  
3 Q. To the extent that Patreon does not profit 09:52:38  
4 from the use of the information you described, what 09:52:42  
5 effect would that have on your complaint? 09:52:46  
6 MR. GRILLE: Object to form. 09:52:50  
7 THE WITNESS: Could you rephrase that. 09:52:52  
8 MR. NORTON: 09:52:57  
9 Q. If, in fact, Patreon does not profit at all 09:52:57  
10 from the use of the information you described, do 09:53:00  
11 you have any problem with what Patreon has done? 09:53:03  
12 A. Yes. 09:53:05  
13 MR. GRILLE: Object to form. 09:53:05  
14 MR. NORTON: 09:53:06  
15 Q. And so if Patreon does not profit from the 09:53:07  
16 use of the information that you described, what is 09:53:10  
17 your grievance with Patreon? 09:53:14  
18 A. They collected data of mine and others 09:53:19  
19 without our consent and that has also devalued our 09:53:22  
20 data because they shared it. 09:53:28  
21 Q. When you say has devalued your data, what 09:53:41  
22 do you mean? 09:53:48  
23 A. My data has less value monetarily. 09:53:50  
24 Q. And what specific data of yours has less 09:53:58  
25 value as the result of what you think Patreon did? 09:54:01

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1 A. My personal info and personal preferences. 09:54:06

2 Q. So your personal information has less value 09:54:18

3 is your belief? 09:54:21

4 A. Yes. 09:54:23

5 Q. And what specific personal information has 09:54:24

6 less value than it did before as a result of what 09:54:27

7 you think Patreon did? 09:54:30

8 A. The info I've mentioned before relating to 09:54:33

9 IP address, name, address, date of birth, et cetera. 09:54:38

10 And then my personal preferences. 09:54:46

11 Q. And you believe that Patreon disclosed 09:54:50

12 information about you to Facebook; right? 09:54:52

13 A. Yes. 09:54:56

14 Q. Does Facebook already have information 09:54:57

15 about your IP address? 09:54:59

16 MR. GRILLE: Object to form. 09:55:01

17 THE WITNESS: I do not know. 09:55:07

18 MR. NORTON: 09:55:07

19 Q. Does Facebook already have information 09:55:07

20 about your date of birth? 09:55:10

21 A. Yes. 09:55:12

22 Q. Does Facebook -- You also made reference to 09:55:14

23 your personal preferences. 09:55:16

24 Does Facebook already have info about your 09:55:17

25 personal preferences? 09:55:20

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1 MR. GRILLE: Could I just have a standing 09:55:21  
2 objection for this line of questions. 09:55:22  
3 MR. NORTON: (No audible response.) 09:55:29  
4 MR. GRILLE: That's fine, object to form. 09:55:30  
5 THE WITNESS: Could you repeat the question. 09:55:32  
6 MR. NORTON: 09:55:33  
7 Q. Sure. 09:55:33  
8 One of the categories of data that you said 09:55:33  
9 you believed had lost value as a result of what you 09:55:36  
10 believe Patreon had done here was the disclosure of 09:55:38  
11 your personal preferences to Facebook and my 09:55:43  
12 follow-up question is, does Facebook already have 09:55:46  
13 information about your personal preferences? 09:55:50  
14 MR. GRILLE: Object to form. 09:55:52  
15 THE WITNESS: I do not know. 09:55:53  
16 MR. NORTON: 09:55:53  
17 Q. What was the value of your data prior to 09:56:06  
18 what you believe Patreon disclosed to Meta or 09:56:14  
19 Facebook? 09:56:25  
20 A. I don't have a dollar amount for it. 09:56:26  
21 Q. Had you ever tried to sell that data to 09:56:33  
22 anybody prior to bringing this lawsuit? 09:56:35  
23 A. No. 09:56:37  
24 Q. Anybody offered you money for that data 09:56:39  
25 prior to this lawsuit? 09:56:40

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1 A. No. 09:56:43

2 Q. Had you ever tried to place a value on that 09:56:52

3 data prior to this lawsuit? 09:56:55

4 A. Not monetarily. 09:56:56

5 Q. In some other sense? 09:56:58

6 A. Just the value it has to me personally. 09:57:07

7 Q. What is the value -- What do you mean when 09:57:18

8 you say the value it has to you personally? 09:57:20

9 A. The amount of people who know about it. 09:57:30

10 Like -- Yeah. 09:57:38

11 Q. Do you -- As a result of what you contend 09:57:48

12 Patreon did in this lawsuit, that is, disclose 09:57:54

13 information about you to Meta, do you have an 09:57:58

14 understanding that more people know your personal 09:58:02

15 information than knew it before? 09:58:07

16 A. Sorry, could you repeat it one more time. 09:58:10

17 Q. Sure. 09:58:12

18 In response to my prior question, you said 09:58:13

19 that the value of the data to you personally related 09:58:15

20 to how many people know about it and now my question 09:58:19

21 to you in follow-up is, do you have an understanding 09:58:23

22 that more people know about it now than they did 09:58:26

23 before absent what you think Patreon did? 09:58:29

24 MR. GRILLE: Object to form. 09:58:31

25 THE WITNESS: Absent to what Patreon did? So 09:58:42

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1 to information about you that it never uses in any 10:00:28  
2 way? 10:00:33  
3 A. Them having the data period is what harms 10:00:45  
4 me. 10:00:47  
5 Q. And my question to you is, how? 10:00:47  
6 MR. GRILLE: Object to form. 10:00:51  
7 THE WITNESS: Because they got it without my 10:00:55  
8 consent and them having it devalues it. 10:00:56  
9 MR. NORTON: 10:01:13  
10 Q. Anything else? 10:01:13  
11 A. No. 10:01:18  
12 Q. Now, you've said a few times this morning 10:01:32  
13 that information was obtained without your consent. 10:01:34  
14 Why do you say it was obtained without your 10:01:39  
15 consent? 10:01:41  
16 A. Because I did not consent for Patreon to 10:01:42  
17 share said information. 10:01:46  
18 Q. When did you create your Patreon account? 10:01:49  
19 A. Believe it was 2019. 10:01:54  
20 Q. Do you remember what month? 10:02:01  
21 A. No. 10:02:02  
22 Q. Why did you create a Patreon account? 10:02:04  
23 A. To view content creators had put on the 10:02:07  
24 website that wasn't available anywhere else. 10:02:13  
25 Q. Were there particular creators that you 10:02:18

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1 has been available on any other platforms other than 10:05:32  
2 YouTube and Patreon? 10:05:34  
3 A. I do not know. 10:05:36  
4 Q. Did you look for NerdBallerTV content other 10:05:39  
5 than on Patreon? 10:05:42  
6 A. YouTube. 10:05:44  
7 Q. Anyplace else? 10:05:47  
8 A. No. 10:05:48  
9 Q. So when you created your Patreon account, 10:05:58  
10 do you recall just mechanically how you did it, how 10:06:07  
11 you created the account? 10:06:11  
12 A. It likely just consisted of name, e-mail 10:06:17  
13 address, date of birth, and billing information. 10:06:21  
14 Q. Did you do it -- Did you create the account 10:06:25  
15 using some electronic device? 10:06:27  
16 A. Yes. 10:06:30  
17 Q. All right. And do you remember which 10:06:31  
18 device you used? 10:06:31  
19 A. No. 10:06:39  
20 Q. Did you click on some link from 10:06:44  
21 NerdBallerTV's YouTube page to get to the Patreon 10:06:47  
22 site to create your account? 10:06:50  
23 MR. GRILLE: Object to form. 10:06:56  
24 THE WITNESS: I do not recall. 10:06:57  
25 MR. NORTON: 10:07:02

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1 Q. Do you recall whether when you created your 10:07:03  
2 Patreon account, whether you had to consent to any 10:07:06  
3 terms of use? 10:07:08  
4 A. I do not know. 10:07:09  
5 Q. Now, you have a Facebook account; right? 10:07:10  
6 A. I do. 10:07:15  
7 Q. And you've had it for how long? 10:07:15  
8 A. I believe since 2010. 10:07:22  
9 Q. Do you remember when you got your Facebook 10:07:25  
10 account, did you have to agree to some terms of use? 10:07:28  
11 A. I didn't make it for myself. 10:07:31  
12 Q. Do you have a Reddit account? 10:07:33  
13 A. I do. 10:07:34  
14 Q. When you created your Reddit account, did 10:07:35  
15 you agree to some terms of use? 10:07:37  
16 A. Most likely, yes. 10:07:46  
17 Q. You have a TikTok account; right? 10:07:47  
18 A. I do. 10:07:49  
19 Q. When you created your TikTok account, did 10:07:50  
20 you have to agree to some terms of use? 10:07:51  
21 A. Yes. 10:07:51  
22 Q. You have a Twitter account; right? 10:07:52  
23 A. I do. 10:07:53  
24 Q. When you created your Twitter account, did 10:07:54  
25 you have to agree to some terms of use? 10:07:56

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1 A. Yes. 10:07:58

2 Q. You have an Instagram account; right? 10:07:59

3 A. I do. 10:08:02

4 Q. When you created your Instagram account, 10:08:03

5 did you have to agree to some terms of use? 10:08:05

6 A. Yes. 10:08:07

7 Q. Do you have a SoundCloud account? 10:08:11

8 A. I do. 10:08:12

9 Q. When you created your SoundCloud account, 10:08:13

10 you have to agree to some terms of use? 10:08:16

11 A. I don't recall for that one. 10:08:19

12 Q. Okay. In your experience, is it possible 10:08:20

13 to create a social media account without agreeing to 10:08:23

14 terms of use? 10:08:26

15 MR. GRILLE: Object to form. 10:08:27

16 THE WITNESS: Do not know. 10:08:30

17 MR. NORTON: 10:08:30

18 Q. You have a Gmail account. 10:08:34

19 When you created your Gmail account, did 10:08:35

20 you agree to the terms of use? 10:08:37

21 A. If there were terms to be agreed to, yes. 10:08:39

22 Q. Just sitting here today, you just don't 10:08:46

23 remember whether you agreed to the Patreon terms of 10:08:48

24 use; is that fair? 10:08:51

25 A. I don't remember for most of those. 10:08:52

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1 Q. When you create an account on a social 10:08:54  
2 media platform that does have terms of use, do you 10:08:59  
3 read 'em? 10:09:04  
4 A. Not intently. 10:09:05  
5 Q. Well, do you read them at all? 10:09:18  
6 A. Sometimes, yes. 10:09:19  
7 Q. Is there any rhyme or reason to why you 10:09:20  
8 read them sometimes and not other times? 10:09:22  
9 MR. GRILLE: Object to form. 10:09:24  
10 THE WITNESS: The time on my hands. 10:09:25  
11 MR. NORTON: 10:09:35  
12 Q. Did anything prevent you from being able to 10:09:35  
13 review Patreon's terms of use before you created 10:09:38  
14 your Patreon account? 10:09:41  
15 A. No. 10:09:48  
16 Q. Now, whether you read the terms of use or 10:09:48  
17 not, do you agree if you accept the terms, that's a 10:09:51  
18 contract and you're bound by it; right? 10:09:53  
19 MR. GRILLE: Object to form. 10:09:56  
20 THE WITNESS: I do not know the legal minutiae. 10:09:59  
21 MR. NORTON: 10:10:03  
22 Q. Well, whether you know the legal minutiae 10:10:03  
23 or not, do you understand that if you click I Accept 10:10:06  
24 on terms of use that you agree to be bound by the 10:10:08  
25 terms? 10:10:12



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1 MR. GRILLE: Same objection. 10:10:13

2 THE WITNESS: If in a legal sense I am bound, 10:10:21

3 then yes. 10:10:23

4 MR. NORTON: 10:10:23

5 Q. I'm not asking you in a legal sense. 10:10:23

6 I'm just asking, what's your understanding 10:10:25

7 when you go on the Internet and you go to a page and 10:10:27

8 it says Terms of Use, and it has an I Accept button, 10:10:29

9 and you click that I Accept button, do you have an 10:10:32

10 understanding of what that means? 10:10:35

11 A. Yeah, it means I accept the terms of use. 10:10:40

12 Q. And when you accept the terms of use, 10:10:42

13 that's a contract; right? 10:10:43

14 MR. GRILLE: Object to form. 10:10:45

15 THE WITNESS: I do not know if it's a contract 10:10:48

16 personally or if it's just a way to use their 10:10:50

17 website. 10:10:55

18 MR. NORTON: 10:10:55

19 Q. Okay. But you understand that you're 10:10:56

20 agreeing to those terms of use? 10:10:59

21 A. Yes. 10:11:00

22 Q. All right. And if there is a consent to 10:11:01

23 disclosure of your information in those terms of 10:11:03

24 use, you're agreeing to that too; right? 10:11:06

25 MR. GRILLE: Object to form. 10:11:08

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1 THE WITNESS: Yes. 10:11:13

2 MR. NORTON: 10:11:13

3 Q. When you created your Patreon account, did 10:11:14

4 you look to see whether or not Patreon could 10:11:19

5 disclose information about what you did on the 10:11:26

6 Patreon site? 10:11:28

7 A. No. 10:11:31

8 Q. After you created your Patreon account in 10:11:40

9 2019, did you ever go on the Patreon site to try to 10:11:44

10 understand what information does Patreon disclose 10:11:47

11 about my activity on creator pages? 10:11:51

12 A. No. 10:12:02

13 Q. In 2020, did you ever go on the Patreon 10:12:02

14 site to try to understand what information Patreon 10:12:04

15 discloses about your activity on Patreon creator 10:12:06

16 pages? 10:12:10

17 A. No. 10:12:11

18 Q. Same question 2021. 10:12:13

19 A. No. 10:12:17

20 Q. Same question 2022. 10:12:17

21 A. No. 10:12:21

22 Q. So if you're mistaken and, in fact, you did 10:12:38

23 consent to Patreon disclosing information about your 10:12:41

24 activity on the website, would you agree to withdraw 10:12:45

25 your complaint? 10:12:49

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1	A. No.	10:12:51
2	Oh, sorry.	10:12:52
3	Q. Why not?	10:12:53
4	A. From my understanding, the VPPA requires	10:12:57
5	you to have a separate form aside from any terms of	10:13:02
6	use that you must agree to.	10:13:06
7	Q. Okay. So even if you did consent to	10:13:14
8	Patreon's disclosure of your information to	10:13:18
9	Facebook, you would still persist in your lawsuit if	10:13:21
10	that consent was not in the form required by the	10:13:29
11	VPPA; is that right?	10:13:32
12	A. Yes.	10:13:34
13	Q. Have you ever read the Patreon terms of	10:14:00
14	use?	10:14:02
15	MR. GRILLE: Object to form.	10:14:06
16	THE WITNESS: Not in their entirety.	10:14:11
17	MR. NORTON:	10:14:13
18	Q. When was the first time you ever looked at	10:14:17
19	the Patreon terms of use, as best you can recall?	10:14:19
20	A. I do not know.	10:14:54
21	Q. Do you recall when this lawsuit was filed?	10:14:59
22	A. Yes.	10:15:01
23	Q. What's your memory of when the lawsuit was	10:15:02
24	first filed?	10:15:04
25	A. 2022.	10:15:05

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1 Q. Around May? 10:15:07

2 A. Yes. 10:15:08

3 Q. Did you ever look at the Patreon terms of 10:15:09

4 use prior to this lawsuit being filed? 10:15:11

5 A. I don't believe so. 10:15:22

6 Q. Do you understand that Patreon, in addition 10:15:24

7 to the terms of use, also has a privacy policy? 10:15:25

8 A. Yes. 10:15:29

9 Q. Did you ever look at the privacy policy 10:15:30

10 before you filed this lawsuit? 10:15:33

11 A. I did not. 10:15:37

12 Q. Have you looked at the privacy policy since 10:15:39

13 you filed this lawsuit? 10:15:41

14 A. I don't know. 10:15:47

15 Q. Do you have an understanding that Patreon 10:15:48

16 has a cookie policy? 10:15:50

17 A. Yes. 10:15:53

18 Q. Have you ever looked at the cookie policy? 10:15:55

19 A. I don't believe so. 10:16:01

20 Q. We talked about your Facebook account a 10:16:11

21 little bit. 10:16:13

22 I think you said somebody else created your 10:16:14

23 Facebook account for you; is that right? 10:16:16

24 A. Yes. 10:16:18

25 Q. And is that because you were a minor at the 10:16:18

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1	time?	10:16:20
2	A. Yes.	10:16:20
3	Q. All right. How old are you now?	10:16:21
4	A. 21.	10:16:31
5	Q. Have you ever agreed to the Facebook terms	10:16:40
6	of use, as best you know?	10:16:43
7	A. My parents probably did, yes.	10:16:49
8	Q. Okay. In the last three years, have you	10:16:52
9	ever clicked on anything whereby you agreed to	10:16:54
10	Facebook's updated terms of use?	10:17:01
11	A. I do not know.	10:17:05
12	Q. Do you have an understanding of whether	10:17:06
13	your continued use of Facebook requires that you	10:17:07
14	agree to the current terms of use?	10:17:09
15	A. I do not know.	10:17:12
16	Q. Did you ever bother to look?	10:17:14
17	MR. GRILLE: Object to form.	10:17:17
18	THE WITNESS: No.	10:17:20
19	MR. NORTON:	10:17:24
20	Q. Do you have an understanding of whether	10:17:24
21	Facebook has terms of use that identify what	10:17:25
22	information Facebook collects about you on the	10:17:30
23	Internet?	10:17:32
24	A. Sorry, could you repeat that one more time.	10:17:33
25	Q. Sure.	10:17:35

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1 Q. But some amount more? 11:57:52

2 MR. GRILLE: Object to form. 11:57:59

3 THE WITNESS: No, I -- I think \$10 was the max 11:58:00

4 price. 11:58:03

5 MR. NORTON: 11:58:03

6 Q. Okay. For Channel 5, you were paying \$5 a 11:58:03

7 month. 11:58:08

8 Would you have been willing to pay more 11:58:09

9 than \$5 a month to get access to Channel 5? 11:58:11

10 MR. GRILLE: Object to form. 11:58:14

11 THE WITNESS: No. 11:58:15

12 MR. NORTON: 11:58:17

13 Q. And the \$2 you paid for the Astroworld 11:58:19

14 incident documentary, would you have been willing to 11:58:21

15 pay more than \$2 for that? 11:58:24

16 A. No. 11:58:29

17 Q. Was the \$5 you paid for Channel 5 a fair 11:58:30

18 price? 11:58:32

19 MR. GRILLE: Object to form. 11:58:32

20 THE WITNESS: At the time, yes. 11:58:36

21 MR. NORTON: 11:58:36

22 Q. Was the \$2 you paid to watch the Astroworld 11:58:37

23 documentary, was that a fair price? 11:58:41

24 MR. GRILLE: Object to form. 11:58:44

25 THE WITNESS: At the time, yes. 11:58:45

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1 MR. NORTON: 11:58:45

2 Q. You said, "at the time." 11:58:46

3 What do you mean, "at the time"? 11:58:47

4 A. Before my understanding of Patreon's use of 11:58:49

5 the Meta Pixel. 11:58:53

6 Q. Okay. And what does -- Patreon's use of 11:58:55

7 the Meta Pixel, what effect does that have on your 11:58:58

8 view of what a fair price for that content was? 11:59:02

9 A. Because they were profiting off of my 11:59:08

10 information and I wouldn't have, you know, chose to 11:59:14

11 pay the full price potentially at the time of my 11:59:21

12 subscribing if I had known of such data collecting. 11:59:24

13 Q. You said, "potentially." 11:59:29

14 Why do you say, "potentially"? 11:59:30

15 A. I don't know how I would have changed my 11:59:59

16 behavior at the time. 12:00:03

17 Q. Have you ever spent any money out of your 12:00:51

18 own pocket to enhance what you understand to be your 12:00:53

19 privacy on the Internet? 12:01:00

20 A. I have paid for VPNs in the past. 12:01:05

21 Q. When have you paid for a VPN? 12:01:08

22 A. Between 2019 and 2022. 12:01:21

23 Q. Why did you pay for a VPN? 12:01:25

24 A. Because I saw value in it. 12:01:36

25 Q. What was it that you were doing on the 12:01:40

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1 Internet that led you to conclude that it would be 12:01:41  
2 preferable to have a VPN? 12:01:46  
3 A. There was some sort of app I was using 12:01:56  
4 where only certain features were allowed with the 12:01:59  
5 VPN on and I do enjoy the sense of security it 12:02:05  
6 provides. 12:02:14  
7 Q. What was the app? 12:02:15  
8 A. I cannot recall. 12:02:18  
9 Q. What was the purpose of the app? 12:02:19  
10 A. I cannot recall. 12:02:23  
11 Q. How much did you pay for the VPN? 12:02:24  
12 A. It's probably between 10 to 15 a month, to 12:02:30  
13 guess. 12:02:37  
14 Q. Was the only reason why you paid 10 to \$15 12:02:41  
15 a month for a VPN so that you could use this app? 12:02:43  
16 MR. GRILLE: Object to form. 12:02:47  
17 THE WITNESS: Not entirely. 12:02:49  
18 MR. NORTON: 12:02:53  
19 Q. What were the other reasons why you paid 10 12:02:53  
20 to \$15 a month for a VPN? 12:02:55  
21 A. The privacy aspect of it. 12:02:59  
22 Q. Right. 12:03:03  
23 What were the other things that you were 12:03:05  
24 doing that led you to value the enhanced privacy of 12:03:07  
25 the VPN? 12:03:12

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1 A. Nothing beyond average Internet usage. 12:03:14

2 Q. Were you engaging in any transactions that 12:03:21

3 were illegal? 12:03:24

4 A. No. 12:03:24

5 Q. Were you buying drugs? 12:03:25

6 A. No. 12:03:26

7 Q. Were you watching video content? 12:03:35

8 MR. GRILLE: Object to form. 12:03:39

9 THE WITNESS: Most likely at some point. 12:03:49

10 MR. NORTON: 12:03:51

11 Q. Do you recall specific video content that 12:03:52

12 you were watching using the VPN? 12:03:53

13 A. No. 12:03:56

14 Q. Did you ever use a VPN to visit the Patreon 12:03:58

15 site? 12:04:03

16 A. Not intentionally. 12:04:10

17 Q. Who was the VPN provider? 12:04:19

18 A. I don't know, but I could think of some 12:04:24

19 names I may have used. 12:04:26

20 Q. Why don't you do that for me, please. 12:04:31

21 A. Such as NordVPN. And I think there's one 12:04:33

22 called -- it's Armor. These are guesses. I do not 12:04:38

23 recall. 12:04:47

24 Q. I understand. 12:04:50

25 Is there something you could look at that 12:04:51

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1	might allow you to answer that question?	12:04:53
2	A. Probably.	12:04:56
3	Q. What would you look at?	12:04:57
4	A. E-mail and e-mail receipts that may have	12:04:59
5	been sent.	12:05:05
6	Q. Other than spending money for a VPN, is	12:05:15
7	there any other occasion where you've spent money to	12:05:17
8	enhance what you perceive to be your privacy when	12:05:20
9	browsing the Internet?	12:05:24
10	A. No.	12:05:26
11	Q. Have you ever paid for software that blocks	12:05:29
12	cookies?	12:05:32
13	A. No.	12:05:32
14	Q. Want to go back to the devices that you've	12:06:03
15	used to access Patreon and Facebook.	12:06:05
16	Have you ever allowed anyone to borrow	12:06:15
17	those devices?	12:06:17
18	Let's start with the 2019 iPhone, did you	12:06:20
19	ever loan the 2019 iPhone to anyone else?	12:06:23
20	A. No.	12:06:23
21	Q. Did you ever loan the 2021 iPhone to anyone	12:06:24
22	else?	12:06:26
23	A. No.	12:06:27
24	Q. Did you ever loan your MacBook to anyone	12:06:27
25	else?	12:06:29

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1	A. No.	12:06:29
2	Q. Whether you ever loaned it to anyone else	12:06:30
3	or not, has anyone else ever used one of those	12:06:32
4	devices?	12:06:35
5	A. Not from what I can remember.	12:06:37
6	Q. Were there other people who had access to	12:06:42
7	those devices?	12:06:45
8	A. Potentially.	12:06:53
9	Q. Who potentially had access to your devices?	12:06:54
10	A. My girlfriend during college.	12:07:04
11	Q. Which of the devices did your girlfriend	12:07:08
12	during college have access to?	12:07:10
13	A. She may have had the access to my laptop.	12:07:13
14	Q. What are the circumstances in which she may	12:07:20
15	have had access to your laptop?	12:07:22
16	A. If she decided to pull it out while at my	12:07:28
17	house.	12:07:34
18	Q. Did your girlfriend in college have a	12:07:37
19	Facebook account?	12:07:39
20	A. I think so, yeah.	12:07:42
21	Q. Is there anything that would prevent her	12:07:48
22	from logging into her Facebook account on your	12:07:50
23	computer if she had access to it?	12:07:53
24	A. No.	12:07:56
25	Q. What is -- what is your former girlfriend's	12:08:03

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1 STATE OF CALIFORNIA )

) ss.

2 COUNTY OF LOS ANGELES )

3  
4 I, MARY K. MEDLEY, CSR NO. 9557, in and for the  
5 State of California, do hereby certify:

6 That prior to being examined, the witness named  
7 in the foregoing deposition was by me duly sworn to  
8 testify the truth, the whole truth, and nothing but  
9 the truth;

10 That said deposition was taken down by me in  
11 shorthand at the time and place therein named and  
12 thereafter reduced to typewriting under my  
13 direction, and the same is a true, correct, and  
14 complete transcript of said proceedings;

15 That if the foregoing pertains to the original  
16 transcript of a deposition in a Federal Case, before  
17 completion of the proceedings, review of the  
18 transcript {x} was { } was not required.

19 I further certify that I am not interested in  
20 the event of the action.

21 Witness my hand this 10th day of October 2023.

22 

23 CSR No. 9557

24 Certified Shorthand Reporter

25 State of California

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